

UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
WESTERN DISTRICT OF PENNSYLVANIA
P. O. BOX 1820
ERIE, PENNSYLVANIA 16507
WWW.PAWD.USCOURTS.GOV

CA 05-196 E

ROBERT V. BARTH, JR.
CLERK OF COURT
814-464-9600

IN REPLYING, GIVE NUMBER
OF CASE AND NAMES OF PARTIES

December 23, 2005

Reginald Anderson
EB 7303
1100 Pike Street
Huntingdon, PA 16654

Mr. Anderson:

This office has received your documents, they are being returned for the following reasons:

Documents that you want to file must be filed with the Clerk.

PLEASE NOTE: Any documents sent directly to a Judge will be returned by this office. These documents MUST be addressed to the Clerk's Office.

Additionally, documents must have a description, a full U.S. District Court of Western Pennsylvania case number and caption for which case you intend to file the document in.

Please remedy this before you send documents to be filed.

Very truly yours,
Robert V. Barth, Jr.
Clerk of Court

By _____



Concurr Shup V. Deto

FORM DC-141 PART 1
Rev 3/00COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

A 672491

 MISCONDUCT REPORT OTHER DC-ADM 801 INFORMAL RESOLUTION

DC Number EB 7303	Name Anderson	Institution SCI H	Incident Time 24 Hr. Base 1700	Incident Date 8/15/05	Date of Report 8/15/05
Quarters CB	Place of Incident CB				

OTHER INMATES OR STAFF INVOLVED OR WITNESSES (CHECK I OR W)

DC Number	Name	I	W	DC Number	Name	I	W
	COI Cates		X				
	COI Turnbaugh		X				

MISCONDUCT CHARGE OR OTHER ACTION #35 Refusing to obey an order

STAFF MEMBER'S VERSION S.1.

On the above date and time I ordered inmate Anderson to turn down his radio. This was the fourth order given on this day. He was ordered twice my COI Cates and once my COI Turnbaugh. The fourth order was then given by me to turn Radio down. He was ordered to turn Radio down on 7/10/05 b. S.1 Shremcher I then went to Anderson cell and confiscated his radio without further incident.

CJR# A469798

IMMEDIATE ACTION TAKEN AND REASON

Investigated no further inquiry indicated. Formatted informal hearing, no request for appropriate staff to turn off radio due to fast interaction. Radio placed in Secure locker.

PRE-HEARING CONFINEMENT

IF YES

<input type="checkbox"/> YES	TIME	DATE
<input checked="" type="checkbox"/> NO		

FORMS GIVEN TO INMATE

 REQUEST FOR WITNESSES AND REPRESENTATION INMATE'S VERSIONREPORTING STAFF MEMBER
SIGNATURE AND TITLEACTION REVIEWED AND APPROVED BY
RANKING C.O. ON DUTY SIGNATURE AND TITLE

DATE AND TIME INMATE GIVEN COPY

DATE TIME 24 HOUR BASE

I. Davis COI

I. Davis COI

8/15/05 1816

YOUR HEARING MAY BE SCHEDULED ANY TIME AFTER

MISCONDUCT CATEGORY

Signature of Person Serving Notice

DATE 8/17/05

TIME 0800

 CLASS 1 CLASS 2

W. Turnbaugh

NOTICE TO INMATE

You are scheduled for a hearing on the allegation on the date and time indicated or as soon thereafter as possible. You may remain silent if you wish. Anything you say will be used against you both at the misconduct hearing and in a court of law, if this matter is referred for criminal prosecution. If you choose to remain silent, the hearing committee/examiner may use your silence as evidence against you. If you indicate that you wish to remain silent, you will be asked no further questions. If you are found guilty of a Class 1 misconduct, any pre-release status you have will be removed.

WHITE — DC-15

YELLOW — Inmate

PINK — Reporting Staff Member

GOLDENROD — Deputy Superintendent Facility Management

Y-28
Oncoke Shup V. Delo

FORM DC-141 PART 1

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF CORRECTIONS

A 686352

 MISCONDUCT REPORT OTHER DC-ADM 801 INFORMAL RESOLUTION

DC Number E137303	Name Anderson	Institution SCIH	Incident Time 24 Hr. Base 0940	Incident Date 11-26-05	Date of Report 11-26-05
Quarters CB	Place of Incident CB 2008				

OTHER INMATES OR STAFF INVOLVED OR WITNESSES (CHECK I OR W)

DC Number	Name	I	W	DC Number	Name	I	W
	K.A. Walter C.O.T.		✓				

MISCONDUCT CHARGE OR OTHER ACTION #35 Refusing to obey an order

STAFF MEMBER'S VERSION On the above date and time inmate Anderson's radio could be heard from the CB unit desk. Anderson was warned earlier this morning about doing this, by this Sergeant. Anderson continues to do this even when ordered to stop, and after receiving misconducts. On 11-25-05 ordered to stop 11-30-05 same order. 8-15-05 ordered 3x receive misconduct. "672-191!"

IMMEDIATE ACTION TAKEN AND REASON *Informal Resolution*

PRE-HEARING CONFINEMENT

IF YES

<input type="checkbox"/> YES	TIME	DATE
<input type="checkbox"/> NO		

FORMS GIVEN TO INMATE

 REQUEST FOR WITNESSES AND REPRESENTATION INMATE'S VERSIONREPORTING STAFF MEMBER
SIGNATURE AND TITLE
*J. Shoemaker*ACTION REVIEWED AND APPROVED BY
RANKING C.O. ON DUTY *J. L. Lamm* SIGNATURE AND TITLEDATE AND TIME INMATE GIVEN COPY
DATE *11-26-05* TIME 24 HOUR BASEYOUR HEARING MAY BE SCHEDULED ANY TIME AFTER
DATE *11-26-05* TIME *0940*

MISCONDUCT CATEGORY

 CLASS 1 CLASS 2Signature of Person Serving Notice
B. Kelley

NOTICE TO INMATE

You are scheduled for a hearing on the allegation on the date and time indicated or as soon thereafter as possible. You may remain silent if you wish. Anything you say will be used against you both at the misconduct hearing and in a court of law, if this matter is referred for criminal prosecution. If you choose to remain silent, the hearing committee/examiner may use your silence as evidence against you. If you indicate that you wish to remain silent, you will be asked no further questions. If you are found guilty of a Class 1 misconduct, any pre-release status you have will be removed.

WHITE — DC-15

YELLOW — Inmate

PINK — Reporting Staff Member

GOLDENROD — Deputy Superintendent Facility Management

DC-141 PART II B Rev. 6-84 DISCIPLINARY HEARING REPORT		COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF CORRECTIONS			
DC Number EB7303	Name Anderson	Institution HUN	Hearing Date 12-1-05	Hearing Time 0930	No. From Part I A686352
INMATE PLEA	<input type="checkbox"/> Guilty <input checked="" type="checkbox"/> No Plea <input type="checkbox"/> Not Guilty <input type="checkbox"/> Other	Verdict	<input checked="" type="checkbox"/> Guilty <input type="checkbox"/> Not Guilty		
HEARING ACTION					
CHARGES	Class I #35 Refusing to Obey an Order				
FINDINGS OF FACT, VERDICT, AND SANCTIONS IMPOSED					
<p>Finding: Guilty.</p> <p>Sanction Imposed: Reprimand and Warning.</p>					
<p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO The inmate has heard the decision and has been told the reason for it and what will happen.</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO The circumstances of the charge have been read and fully explained to the inmate.</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO The opportunity to have the inmate's version reported as part of the record was given.</p> <p><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO The inmate has been advised that within 15 days a request for a formal review may be submitted and that this request must contain specific reasons for the review.</p>					
SEE APPENDICES <input type="checkbox"/>					
NAME(S) OF HEARING EXAMINER/COMMITTEE (TYPED OR PRINTED)			Hearing Report and all appended information must be signed. Signature indicates finished report with appendices.		
MS. Barbara J. Hollibaugh Corrections Unit Manager			 SIGNATURE OF HEARING EXAMINER/COORDINATOR		

WHITE – DC-15 YELLOW – Inmate Cited PINK – Staff Member Reporting Misconduct Goldenrod – Deputy Superintendent